

DRAFT



CITY OF SCOTTSDALE HOUSING BOARD
One Civic Center, 3rd Floor Conference Room
7447 E. Indian School Road, Scottsdale, AZ 85251
May 10, 2005
Meeting Minutes

PRESENT: Joseph Priniski, Vice Chair
George Leonard (absent at roll call; arrived at 5:09 p.m.)
Gary Morgan
Robert Southworth
George Sutherland

ABSENT: Del Monte Edwards, Chair
Barbara Williams

STAFF: Molly Edwards, Housing Resources Manager/Staff Liaison

CALL TO ORDER

Vice Chairman Prinski called the regular meeting of the Scottsdale Housing Board to order at 5:07 p.m.

ROLL CALL

A formal roll call confirmed members present as stated above.

APPROVAL OF MINUTES

April 12, 2005, Housing Board.

Board Member Morgan requested the following corrections to the meeting minutes, noting that the second, italicized item on Page 4 should read:

"Board Member Morgan moved to delete..."

The second sentence should be amended to read:

"George Leonard seconded the motion."

Molly Edwards reported the Board's indicated that the minutes did not correctly reflect the discussion regarding the changes to the Housing Board's City Code. Ms. Edwards prepared and distributed a document entitled "Ordinance No. 3614", which represents her recollection of the discussions, as well as Board Members recollections of the discussions. Ms. Edwards requested that the Board review "Ordinance No. 3614" to ensure that it is a correct reflection of the changes requested by the Board. If approved, the amended ordinance will be presented to City Council for approval on June 7th.

The Board took a moment to review and discuss the proposed ordinance.

BOARD MEMBER LEONARD MADE A MOTION TO ADOPT THE CHANGES TO THE PROPOSED ORDINANCE. BOARD MEMBER SUTHERLAND SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY BY A VOTE OF (5) TO (0).

Discussions ensued, whereupon,

VICE CHAIRMAN PRINSKI MADE A MOTION THAT THE MINUTES BE ACCEPTED AS AMENDED, AND THE AMENDED ORDINANCE BE INCORPORATED INTO THE MEETING MINUTES. BOARD MEMBER SUTHERLAND SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY BY A VOTE OF (5) TO (0).

REVIEW OF HOUSING BOARD BY-LAWS

Copies of the By-laws of the Scottsdale Housing Board were distributed to Board Members.

Ms. Edwards explained that adjustments needed to be made to the By-laws to reflect new changes in City Code. Proposed revisions will be incorporated into the text of the By-laws and will be voted on at the next meeting.

The text in Section 2(a) and 2(b) will be changed from October to June. Board Member Morgan noted that those changes had been voted on during a previous meeting.

Board Member Morgan questioned whether the Board has complied with the directive that the Chairman may not initiate motions or engage in protracted discussion, and whether the Board shall adhere to that in the future. Ms. Edwards explained that Robert's Rules of Order do not permit a chair person to initiate motions. The issue of whether or not a chair person can engage in discussion should be referred to Donna Bronski for legal opinion.

The Board discussed the voting rights of the chair person.

Ms. Edwards introduced Davette (court reporter) and informed the Board that all proceedings will be electronically recorded. A brief discussion ensued.

Review and discussion of the By-laws continued. The following proposed changes were requested:

Board Member Morgan requested that the second sentence of Section 2(e) state: "The Housing Board may appoint one of its members to serve as chairman of such committee."

Ms. Edwards requested that the first sentence of Section 3(b) state: "Special meetings for good cause may be held by the Housing Board on call of its Chairman or a majority of its members, which call shall be filed with the Citizen and Neighborhood Resources Department, or as may be scheduled by a majority of the members at any previous meeting."

Board Member Morgan requested that the second sentence of Section 3(c) state: "Any action calling for a formal vote shall take place only at a public hearing and only on items listed on agenda."

Ms. Edwards recommended amending Section 3(e): "In absence of the Chairman and Vice Chairman, the senior board member present may convene the meeting."

Ms. Edwards noted the importance of reviewing Section 3(f) (Member Attendance). Board Member Morgan pointed out that board members and commission members are appointed by City Council. Board Members expressed interest in having the ability to recommend eligible candidates to fill vacated seats on the Board. Ms. Edwards will confer with Ms. Bronski regarding the appropriateness of the Boards request, as well as the specific wording of Section 3(f).

Board Member Morgan stated that Section 3(g) is not applicable. Ms. Edwards explained that it would be applicable if the Board were to be involved in a future program that required applicants to come before the Board. She encouraged that the item not be removed. Discussion continued. Board Member Morgan stated that the wording is too detailed for what is trying to be accomplished. Upon further discussion, the following changes were recommended:

The first sentence of Section 3(g) shall state: "The applicant, or an authorized agent or agents, in any case being heard before the Housing Board, shall be present in person unless the Citizen and Neighborhood Resources Department or Chairman of the Housing Board has been notified of the absence, in writing, prior to the public hearing."

Delete the last sentence of Section 3(g): "If the applicant or his authorized agent or agents fails to appear as scheduled three (3) times, such failure may be deemed sufficient cause for recommendation of denial."

Upon inquiry by Board Member Morgan, Ms. Edwards presented an example of a program to which Section 3(g) would apply.

Ms. Edwards pointed out that the standard layout of meetings, as noted in Section 3(h) (Order of Business), has been modified over the years and recommended that the Board consider changing this to accurately reflect the current meeting structure. The Board discussed the order of business items currently outlined in Section 3(h). Board Member Morgan requested that a line item be added for new agenda items. The purpose of this would be to allow Board Members to suggest items for future discussion, that are not on the agenda. Ms. Edwards noted that the proper procedure for placing items on the agenda requires that board members contact the chairman and request that the item be placed on the agenda. Discussions to clarify the purpose of Board Member Morgan's suggestion ensued. Ms. Edwards directed the Board to read the legal advisory on the current agenda and pointed out Ms. Bronski's concerns.

Board Member Morgan reiterated that he is suggesting that the Board have the ability to place future agenda items on the agenda for future discussion. Board Member Leonard suggested having a point on the agenda where members of the Board can request that a specific item be placed on the next agenda. Board Member Morgan suggested development of a general list of items to be discussed and then calendared on subsequent agendas, at the Chairman's discretion.

Ms Edwards clarified: If something important comes up in a meeting, members of the board want to have an opportunity to say, at the end of the meeting, let's revisit these at a future meeting. If the Board wants to do that, they must first vote. Secondly, the topic to be placed on the agenda cannot be discussed at the meeting; it must be added to a subsequent agenda for future discussion. Ms. Edwards stated that by identifying the future agenda item during a meeting, the Board would be required to vote on whether or not to place the item on the next agenda. She noted that the alternate option of calling the chairman and requesting that the issue be placed on the agenda, avoids the vote requirement.

Board Member Morgan identified concerns regarding the process of contacting the chairperson to discuss agenda items. Discussions regarding open meeting law and itemizing future agenda items continued.

The following revisions to Section 3(h) (Order of Business) were discussed and identified:

- i. Call to Order
- ii. Approval of the Minutes of Previous Meeting
- iii. Agenda-ized Items
- iv. Chairpersons Report
- v. Staff Report
- vi. Suggestion of Future Agenda Items To Be Considered by Chairman
- vii. Call to Public
- viii. Adjournment

Board Member Morgan and Ms. Edwards concurred that Section 3(i) (Agenda Items) should state: "Items will be placed on the agenda by the Staff Liaison, with the concurrence of the Chairperson or by a majority vote of the members of the Housing Board."

Board Member Morgan addressed concerns relating to the placement of items on the agenda by the staff liaison. Ms. Edwards explained that items required by City Code or are calendared are automatically added to the agenda.

Board Member Leonard asked what would occur in the event that only a quorum were present for a meeting and one of the members had to abstain from voting? Ms. Edwards will confer with Mr. Bronski regarding the answer to the question.

Board Member Morgan requested the following change to Section 3(k) (Abstention): change the word "cases" to "issues".

Section 4(a) shall read: "The official record shall include Sections 2-331 through 2-340 of the Scottsdale City Code, as amended, these By-laws, the minutes of the Housing Board, together with all findings, maps, and other official statements."

The first sentence of section 4(c) (Retention of Files) shall read: "All documents and other matters coming before the Housing Board shall be filed in the Citizen and Neighborhood Resources Department in accordance with that department's general file system."

The language: "affirmative vote of four" required by section 4(e) was discussed.

The first sentence of section 4(e) shall read: "Amendments to these By-laws may be made by the Housing Board upon the affirmative vote of four (4) members, provided any such amendment is proposed at a preceding meeting, or is submitted in writing at a prior regular meeting of the Housing Board, and is noted in the minutes of such meeting."

Ms. Edwards suggested changes to Section 4(f) (Copy of Rules and Regulations), indicating it shall read: "A certified copy of these By-laws and

amendments thereto shall be placed on record in the City Clerk's Office, within ten (10) days of the date of their adoption."

Ms. Edwards informed the Board that the City attorney is vacating the position as of June 3rd.

Board Member Morgan suggested that the other Board Members have an opportunity to review the amendments and voting should occur at the next meeting.

BOARD MEMBER LEONARD MADE A MOTION THAT THE BY-LAWS BE ACCEPTED AS AMENDED, CONTINGENT UPON REVIEW AND FORMAL ADOPTION OF THE BY-LAWS AT THE NEXT MEETING. SECONDED BY BOARD MEMBER MORGAN. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF (5) TO (0).

REVIEW OF CALENDAR AND STRATEGY FOR UPCOMING YEAR

Vice Chairman Prinski noted that the purpose of this item is to identify options for goals and strategies for the upcoming year.

Ms. Edwards indicated that she would like the entire Board to be present for discussion of the calendar. She further noted that the calendar provided to the Board is a skeletal agenda that has been in place for years; it has not yet been amended to reflect the change of Board elections from October to June.

Ms. Edwards reported that she, Chairman Edwards and Vice Chairman Prinski met with Kira Wauwie. Ms. Wauwie is working on a text amendment to the ordinance for R-17 and R-110, residential zoning, in response to comments City Council continues to receive from residents residing in the more mature parts of the City, who want to make improvements to their home, but are restricted because of the zoning regulations. Staff has been challenged to work with anyone who wants to come forward, including the Housing Board, to get input on zoning challenges with respect to that zoning. Ms. Wauwie can be contacted by email at KWauwie@scottsdaleaz.gov or by telephone at 480-312-7061.

Vice Chairman Prinski indicated that some of the examples of the expertise Ms. Wauwie is seeking relate to whether or not to keep neighborhoods the same as far as architecture and color, as well as setbacks and height restrictions.

Discussion regarding the events surrounding the Mayor's directives for the text amendment and Ms. Wauwie's objectives ensued, followed by a discussion identifying potential zoning challenges.

Ms. Edwards directed the Board's attention to the calendar and suggested that the issue of condo conversions be placed on next year's calendar. Discussion

regarding future agenda items continued, followed by discussion of last year's Board retreat. The Board concurred that the 2005 retreat should occur after the City Council retreat.

Ms. Edwards reminded the Board that they need to be at the May 26th Human Services Commission meeting, noting that this is an opportunity for the Board to provide feedback about the funding process.

Ms. Edwards continued presentation and discussion of calendar dates. Section 8 dates will be forthcoming. Brief discussion was held regarding submission of the annual update to City Council, whereupon Vice Chairman Prinski suggested that it be completed in May.

Future agenda items for discussion will be submitted to Ms. Edwards prior to the next meeting.

STAFF REPORT

The next Scottsdale Design Day is June 11th, from 8:00 a.m. to 2:00, p.m. at Coronado High School. The first Scottsdale Design Day, held in January of this year, was a huge success. Ms. Edwards presented highlights of the first event. Volunteers are needed; Board Members were highly encouraged to participate in the event. Additional vendor participation is also needed. Vendor referrals should be directed to Ms. Edwards.

Ed has agreed to be at the next meeting to present an update on revitalization efforts.

ADJOURNMENT

With no further business to discuss, the regular meeting of the Scottsdale Housing Board was adjourned at approximately 6:50 p.m.

Respectfully Submitted,
Davette Repola
A-V Tronics, Inc.